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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1773**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hideaki YAMANAKA et al.

Group Art Unit: 1773

Application No.: 09/944,193

Examiner: H. C. Rickman

Filed: September 4, 2001

Docket No.: 110538

For: MAGNETIC RECORDING MEDIUM AND MAGNETIC RECORDING APPARATUS

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 6, 2003 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-13, 24, 26, 28-29 and 31 are pending in this application. Reconsideration in view of the following remarks is respectfully requested.

The Office Action rejects claims 1-13, 24, 26, 28-29 and 31 under 35 U.S.C. §103(a) over Inomata et al. (U.S. Patent No. 6,623,875) (Inomata). Applicants respectfully traverse this rejection. In particular, Inomata qualifies as prior art only under 35 U.S.C. §102(e), in terms of its filing date. Accordingly, since Applicants' inventions' priority dates are February 26, 2001 and November 27, 2000 respectively, Applicants assert that Inomata is eliminated as prior art by virtue of the enclosed verified translations of the priority documents

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